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REMARKS

Claims 1-25 are pending. Claims 8 and 22 have been editorially amended according to the PTO's suggestions. Claims 1, 8, 14, and 20-25 have also been amended to further define the recited inventions. Support for the amendments appears, e.g., in paragraphs 0045-0046. Corrected drawings are also submitted. Accordingly, claims 1-25 are presented for further consideration.

The PTO has determined that the drawings as originally submitted contain improper handwritten text, and has requested submission of formal drawings. Replacement drawings are attached. No new matter has been added to the drawings, and acceptance thereof is respectfully requested.

Claims 8 and 22 stand objected to in view of certain informalities. The claims have been amended in accordance with the PTO's suggestions in order to correct the informalities. Accordingly, applicants respectfully request withdrawal of the objection to these claims.

Claim 24 stands rejected under 35 USC 102(e) as allegedly anticipated by Bay TSP (PTO-892, Ref. U). Claims 1, 2, 4-5, 8-9, 11-15, 17-19, 23 and 25 stand rejected under 35 USC 103(a) as unpatentably obvious over the same reference in view of Barone. Claims 3, 6-7, 10, 16 and 20 also stand rejected under 35 USC 103(a) over the same references, and further in view of Video Chat (PTO-892, Ref. V). However, as shall be shown, none of the cited references, alone or in combination, identically disclose or suggest every limitation of the present claims.

Both Bay TSP and Barone appear to teach actually embedding various date within a transmission or recording of a performance. See, e.g., PTO-892, ref. U, page 8 ("Bay TSP.com's 2257 products embed 2 forms of identification for each performer in each image."); compare PTO-892, Ref. W, page 4 ("the 2257 system embeds compliance documentation into each image . . . ."); Barone, paragraph 0010 ("An encoder coupled to the video source and the processor embeds the ITV data and the profile identifier in the video system.").

Neither cited reference appears to disclose or suggest associating performer and performance data and storing the associated data in a storage medium other than the medium used to transmit the performance (such as a file in a database, application paragraph 0046, or a hard copy of the information), and then providing the stored associated data to a custodian, as presently recited. In this regard, applicants point out that mere embedding of information within an image subject to the record-keeping requirement of 18 USC 2257 does not in fact comply with the

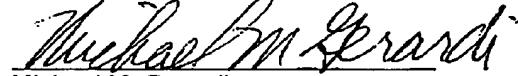
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requirements of 18 USC 2257, and therefore does not disclose or suggest methods or systems for complying even with the specific record-keeping requirement that is the subject of the Bay TSP references. Thus, the Bay TSP reference (Ref. U), alone or in combination with the Barone reference or Ref. V, does not appear either to disclose identically or suggest every limitation of the present claims. Applicants therefore respectfully request that the section 102(b) and 103(a) rejections based on the cited references be withdrawn.

In view of the amendments to the claims and the foregoing remarks, it is submitted that all present claims are in condition for allowance. Should the Examiner have any questions, he is invited to contact the undersigned at the telephone number indicated.

Respectfully submitted,

10/24/2006  
Date

  
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